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BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE
DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE QUARANTINE; ADMINISTRATIVE INSTRUCTIONS; ARTICLES EXEMPT FROM CERTIFICATION

Introductory Note

The following administrative instructions exempt from certification requirements a number of articles regulated by the quarantine on account of the white-fringed beetle (Quarantine No. 72) when they have been handled and maintained under conditions that prevent them from becoming infested. This action is considered safe because present conditions within the infested areas eliminate the danger of spreading infestations by such articles.

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of the white-fringed beetle quarantine (7 CFR, 1947 Supp., 301.72), the administrative instructions exempting certain articles from certification (7 CFR, 1947 Supp., 301.72b; B.E.P.Q. 485, 15th Revision), are hereby further revised to read as follows:

§ 301.72 Administrative instructions; articles exempt from certification.--(a) The following articles, the interstate movement of which is not considered to constitute a risk of white-fringed beetle dissemination, are hereby exempted from the requirements of the regulations of the quarantine when they are free from soil when they have not been exposed to infestation, or when sanitation practices are maintained as prescribed by or to the satisfaction of the inspector.

(1) Hay and straw, except that peanut hay is not exempt.
(2) Uncleaned grass, grain, and legume seed.
(3) Scrap metal, junk, and cinders.
(4) Seed cotton and cottonseed.
(5) Processed and crude clay, and washed or processed sand and gravel, when they have been taken from a depth of at least 2 feet below the existing surface, and when entirely free from any surface soil to a depth of 2 feet.

(b) Certification will still be required for the following articles and materials.

(1) Except as exempted in (a) (5) hereof, all soil, sand, gravel, clay, compost, manure, peat, or muck, whether moved independently or in connection with, or attached to nursery stock, plants, products, articles, or things.

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(2) Nursery stock.
(3) Grass sod.
(4) Plant crowns or roots for propagation.
(5) Potatoes (Irish), when freshly harvested.
(6) True bulbs, corms, tubers, and rhizomes of ornamental plants, when freshly harvested or uncured.
(7) Peanuts in shells and peanut shells.
(8) Peanut hay.
(Sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161)

This revision supersedes B.E.P.Q. 485, 15th revision, effective May 22, 1947 (7 CFR, 1947 Supp., 301.72b).

These instructions shall be effective upon publication in the Federal Register and thereafter shall remain in effect until further modified or revoked.

Since these administrative instructions relieve restrictions, they are within the exception in section 4 (c) of the Administrative Procedure Act and may properly be made effective less than 30 days after their publication in the Federal Register.

Done at Washington, D. C., this 3d day of May 1948.

Avery S. Hoyt

Acting Chief, Bureau of Entomology and Plant Quarantine